

U.S. Patent Application Serial No. 10/782,821  
Response to OA dated December 10, 2007

### REMARKS

The Claims 1, 6 and 11 have been amended in order to more particularly point out, and distinctly claim the subject matter which the Applicants regard as their invention. The Applicants respectfully submit that no new matter has been added. Claim 12 is cancelled without prejudice or disclaimer. It is believed that this Amendment is fully responsive to the Office Action dated **December 10, 2007**.

In the Office Action, Claims 1-12 are rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicants regard as the invention. The Office Action alleges that in Claims 1, 6, 11 and 12, the term "N" is undefined; that Claim 11 is unclear as to whether it recites the limitations of the computer program as a series of process steps; and Claim 12 is unclear as to whether the term "comprising" refers to the computer or to the computer program product and that it is unclear whether a structure or a process is being claimed.

Accordingly, Claims 1, 6 and 11 have been amended in a manner to overcome this rejection. Claim 12 has been cancelled. Reconsideration and removal of this rejection are respectfully requested. Regarding "N", "N" is 1 or more natural number in Claims 1, 6, 11 and 12. "It is respectfully submitted that in the field of science and engineering, including mathematics, "N" is a natural number 1, 2, 3, . . . , with the fact that "k" is added from 1 (k=1), N=1, 2, 3 . . .

In the Office Action, Claims 6-10 are rejected under 35 U.S.C. § 101 because the claimed invention is directed to non-statutory subject matter. Applicants have amended Claims 6 and 7

U.S. Patent Application Serial No. 10/782,821  
Response to OA dated December 10, 2007

in a manner to overcome the rejection. Reconsideration and removal of the rejection are respectfully requested.

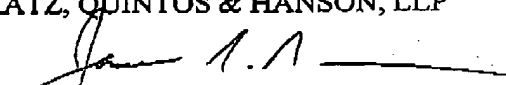
In view of the aforementioned amendments and accompanying remarks, Claims 1-12, as amended, are believed to be patentable and in condition for allowance, which action, at an early date, is requested.

If, for any reason, it is felt that this application is not now in condition for allowance, the Examiner is requested to contact the Applicants undersigned attorney at the telephone number indicated below to arrange for an interview to expedite the disposition of this case.

In the event that this paper is not timely filed, the Applicants respectfully petition for an appropriate extension of time. Please charge any fees for such an extension of time and any other fees which may be due with respect to this paper, to Deposit Account No. 01-2340.

Respectfully submitted,

KRATZ, QUINTOS & HANSON, LLP

  
James N. Baker, Reg. No. 40,899

for Donald W. Hanson  
Attorney for Applicant  
Reg. No. 27,133

DWH/JNB/ak  
Atty. Docket No. 040065  
Suite 400  
1420 K Street, N.W.  
Washington, D.C. 20005  
(202) 659-2930



23850

PATENT & TRADEMARK OFFICE

Enclosure: Petition for Extension of Time